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09/925,585	08/09/2001	Lane Thomas Holloway	AUS9-2001-0253-US1	2884
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IBM CORP. (AVE) C/O LAW OFFICE OF ANTHONY ENGLAND PO BOX 5307 AUSTIN, TX 78763-5307			EXAMINER PATEL, MANGLESH M	
			ART UNIT 2178	PAPER NUMBER
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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

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Commissioner for Patents

In the reply brief Applicant states "However, Appellant's Appeal Brief never contends that branching to questions based on answers in a survey is, by itself, novel." Applicants specification used in conjunction with claim 1 states ".....providing a survey document on a server for delivery to a client on a network having questions and potential answers in a format defining branches of the questions. That is, the format defines whether a first one of the questions branches to a second one of the questions, or instead to a third one of the questions, and so on, depending on an answer for the first question." (See pg 1, paragraph 3 & pg 2, paragraph 1). Furthermore the claim 1 describes "including associatins such that ones of the questions branch from ones of the answers", its true has stated by applicant that by itself its not novel, however being used in a computer and described in a markup document would still not make it novel because Gupta teaches that the answers and questions are used in a computer and described in a markup language (See paragraph 24).

Applicant states: "...claim 1 in the appealed application refers to delivery of a program having instructions for causing one computer (a "second" computer) to analyze answers received from a user and present next questions to the second computer responsive to thoes received answers." (pg 1 of 2, paragraph 3). The Examiner points applicant to paragraphs 16 and 17 of Majoor. Here Majoor teaches that the rules server recieves a set of answers from the user responding to a set of asked questions. After receiving a set of answers from a user, the rule server determines if the recived answers to the set of asked questions are fully responsive. Subsequently the rule server determines the next set of questions to be asked to the user. So the user responding to the set of asked questions is being done on the second computer while the first computer is the rule server. Looking only at claim one its true that the claim makes no mention of the intervention by another computer. However claim 7 which depends from claim 1 further describes that the second computer system return survey results to the first computer system, clearly Majoor teaches that the rules server handles the results obtained from the user or client computer.

Arguments pertaining to the combination of references have already been explained in the appeal brief, therefore all points have been addressed.

Appellant's reply brief filed November 27, 2006, has been entered and considered. The application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal.


CESAR PAULA
PRIMARY EXAMINER